

CALIFORNIA PUBLIC UTILITIES COMMISSION

Water Division

STANDARD PRACTICE  
FOR CREATING AND PROCESSING  
WATER AND SEWER SYSTEM  
ADVICE LETTER FILINGS  
AND RESOLUTIONS AND MAINTAINING TARIFFS  
UNDER GENERAL ORDER NO. 96-B

Standard Practice U-8-W

San Francisco, California

Revised August, 2005

STANDARD PRACTICE FOR PROCESSING ADVICE LETTER FILINGS

AND RESOLUTIONS AND MAINTAINING TARIFFS

UNDER GENERAL ORDER NO. 96-B

Table of Contents

<b>A - INTRODUCTION .....</b>	<b>2</b>
<b>B - PROPOSALS .....</b>	<b>11</b>
<b>C - ADVICE LETTERS .....</b>	<b>12</b>
<b>D - RESOLUTIONS .....</b>	<b>15</b>
<b>E - ADVICE LETTER APPROVAL .....</b>	<b>18</b>
<b>F - WITHDRAWAL, REJECTION, AND SUSPENSION OF ADVICE LETTERS .....</b>	<b>10</b>
<b>G - TARIFF CANCELLATIONS BECAUSE OF WITHDRAWALS OF SERVICE .....</b>	<b>10</b>
<b>H - RECORDS MAINTAINED BY THE TARIFF CLERK.....</b>	<b>19</b>

**A - INTRODUCTION**

1. The purpose of this standard practice is to provide utilities with directions for filing advice letters and Water Division personnel with a detailed description of the steps required to process advice letters and create and process resolutions. An advice letter is a document prepared by the utility that requests action of the Commission. Most commonly an advice letter is used to make changes to the utility's tariffs. A resolution is an order of the Commission that is not the result of a formal filing. This standard practice includes information explaining how to:

- a. log in submitted advice letters
- b. review the submissions for compliance
- c. create the advice letter
- d. file the advice letter
- e. evaluate the advice letter
- f. accept, suspend or reject the advice letter
- g. prepare a resolution
- h. process the resolution
- i. file and maintain tariffs

2. This standard practice applies to all water and sewer system utilities, and Water Division support staff, engineers or analysts who are assigned to process advice letters or write resolutions. In addition to these instructions, the utility and its employees composing the advice letter must be familiar with and follow the requirements of the current version of General Order 96 and other standard practices that apply to the particular type of advice letter being prepared or reviewed. The Director of the Water Division may modify these rules if the situation so requires.

## B - BACKGROUND

3. General Order (GO) No. 96 became effective January 1, 1943, and directed all public utilities to follow certain rules in the filings of their rates, rules and contracts. The GO superseded a number of other general orders pertaining to specific classes of utilities. GO 96 was revised and issued as GO No. 96-A effective March 1, 1962. The rules in the GO provide for the general form and construction of tariff schedules, procedures to be followed in filing and publishing of schedules, and the procedure to authorize departures from the filed schedules under particular circumstances.

## C - TARIFFS

4. The utility's tariff book includes the entire body of rates, tolls, rentals, charges, classifications and rules of a public utility. No regulated utility can charge for any utility service that is not described and approved by the Commission in its tariffs. A tariff schedule describes and sets rates for a specific utility service. It may consist of one or more sheets. The term tariff sheet refers to the individual sheets of the tariffs. Where a public utility renders different utility service, such as water and sewer, it shall file separate tariff books covering each type of utility service rendered.

5. Public Utilities Code Section 489 requires that every public utility file with the California Public Utilities Commission, schedules (i.e., tariffs) showing all rates, tolls charges, classifications, or services, to be collected or enforced, along with all rules and contracts that affect or relate to these rates and charges. Any ambiguity in the tariffs will be construed to benefit the customer.<sup>1</sup>

6. Every utility must have a telephone number that people can call to ask questions about the tariffs, order copies of the tariffs and find out when and where he or she can inspect the tariffs. General Order 96-B requires that all utilities whose gross intrastate revenues exceed \$10 million make their tariffs available on the Internet.<sup>2</sup>

7. There are several court decisions that hold that tariffs have the force and effect of law:

- *Pink Dot Inc. v. Teleport Communications Group*, 89 Cal. App. 4th 407 (2001) ("Certainly a state-filed tariff when so published and filed, has the force and effect of a statute", quoting *Dyke Water Co. v. Public Utilities Com.*, 56 Cal. 2d 105 (1961).)
- *Trammell v. Western Union Tel. Co.*, 57 Cal. App. 3d 538 (1976) ("As the tariff and the limitation of liability provisions have the force and effect of law, they are binding on the public generally.")
- *Colich & Sons, et al. v. Pacific Bell*, 198 Cal. App. 3d 1225 (1988) ("The PUC has been vested by the Legislature with broad supervisory and regulatory powers (citation omitted). Pac Bell as a public utility is subject to applicable provisions of the Public Utilities Code (§§ 216, 761). It is required to file tariffs with the PUC covering the terms and conditions, including rates, classifications and attendant liabilities, under which it renders service (§ 489). 'A public utility's tariffs filed with the PUC have the force and effect of law.' (citation omitted).")

---

<sup>1</sup> D.01-07-026, July 12, 2001, Appendix paragraph 3

<sup>2</sup> D.01-07-026, July 12, 2001, Appendix paragraph 2.1

Other decisions affirm that utility tariffs in essence become the contract for service between the utility and the customer.

- *Waters v. Pacific Telephone Company*, 12 Cal. 3d 1 (1974) (The court stated in the dissent, “Section 489 provides that a telephone company shall file with the Public Utilities Commission schedules showing its rates together with all rules and contracts which in any manner relate to such rates and its telephone service. Upon such filing and approval by the commission, the schedule becomes, in effect, the contract between the company and its subscribers.”)
- *Los Angeles Cellular v. The Superior Court of Los Angeles County*, 65 Cal. App. 4th 1013 (1998) (The court said, “A condition imposed by a tariff binds a utility's customers without regard to whether a contract is signed by the customer and without regard to the customer's actual knowledge of the tariff.”)

There are also decisions of the Public Utilities Commission that charge the utility with the responsibility to enforce their tariffs pursuant to sections 532 and 453 of the Public Utility Code.

- Decision No. 90-12-019 (“Our conclusion in that case (D.90-02-044) that shareholders should be liable for associated revenue shortfalls was based on our view that Sections 532 and 453 required the utilities administer and enforce their tariffs.”) Section 532 prohibits a public utility from charging different rates than are in its schedules on file, whereas section 453 prohibits granting any preference or advantage to any person as to rates, charges, services, or in any other respect.
- Decision No. 91-05-007 (“As we have said in other decisions, the utilities have a duty to take reasonable steps to enforce tariffs and to keep all costs down.”)
- Decision No. 90-11-058, (“We note that a utility has an obligation to enforce its tariffs and to ensure that certain customers are not able to obtain free of charge services for which other customers must pay.”)

Therefore a tariff sheet is a legal document. This places limitation on when and how it can be changed and who must be noticed before and after the change. It also requires that these documents be created in the correct format, parlance, and vernacular. Normally legal templates are used to produce legal documents.

8. A tariff book normally contains the following items: title page, table of contents, preliminary statement (including a brief description of the territory served, a map or maps, a brief description of the types and classes of service rendered and descriptions of any memorandum accounts the Commission approved), rate schedules, summary list of contracts and deviations, rules (Tariff Rules) affecting charges or service to the public and sample forms. DM5 Document #192068 contains a set of sample water utility tariffs. DM5 Document #245397 contains a set of sample sewer system utility tariffs.

## D - CONSTRUCTION OF TARIFF SCHEDULES

9. Each tariff schedule shall be placed on a sheet of specified form which includes a margin containing information as to the identity of the utility, the sheet number, the advice letter number, decision or resolution number, name of responsible utility official, and space for the filed and effective dates to be filed in by the Commission. Water and sewer system tariff sheets are numbered consecutively as submitted.

## E - CONTENTS OF A RATE SCHEDULE

10. Each rate schedule shall contain a schedule number or other designation, an indication as to the class of service, the applicability of the schedule, the territory to which the schedule applies, the rate in tabular form where practicable, and special conditions applicable to the rates. See Appendix L for proper rate schedule numbering.

## F - ADVICE LETTERS GENERALLY

11. Tariff filings shall be submitted by an advice letter. Class A and B Water Utilities will<sup>3</sup>:

- a. Provide a large properly-stamped self-addressed envelope for the copy to be stamped and returned to the utility.
- b. Provide two colored folders with the filing to hold two copies of the advice letter and the work papers. The folder label should be white with the following information:

Company Name	AL #
Type of Filing	

- c. The two folders should be fully assembled with advice letters and workpapers as follows:

- i. Holding the folder like a book, with the larger side away from you:
- ii. On the outside front attach a Proposal/Advice Letter Summary Sheet (Attachment A) and over it attach a Advice Letter Filing Summary Sheet (Appendix M). Advice letters are numbered sequentially as submitted with a –W or –SS appended if the utility provides more than just water or sewer service alone.
- iii. On the inside left side of the folder, attach a complete copy of the Decision or Resolution that authorizes the filing, including Tables and Stipulations (if any).
- iv. On the right side of the folder attach the workpapers in tabbed order (see below)<sup>4</sup>
- v. On the top of the workpapers, attach the advice letter
- vi. Arrange the workpapers as follows:
  1. Table of Contents of Workpapers: listing all the sheets in the workpapers by title and sheet number.

<sup>3</sup> Letter to All Class A Water Companies, May 1, 1995, Subject: New Procedures for Filing Step Increase, Attrition and Offset Advice Letters

<sup>4</sup> The contents of the workpapers depend upon the purpose of the Advice Letter. See the other Standard Practices for descriptions of the content of the specific Advice Letters and Workpapers.

2. Description of Calculations: a narrative describing how the tariff calculation in the workpapers were done. Divide the workpapers by tabs as appropriate. Each workpaper sheet shall be numbered consecutively (by tabs if used). Staff will refer to workpaper sheets by sheet number.
3. Workpapers must be easily readable and printed on one side only. If the workpapers contain spreadsheet printouts, minimum type pitch will be 10 pt. All copies will be clear and dark. Handwritten annotations that help explain the calculations or connection with other workpaper sheets are encouraged.

12. For advice letters requesting changes to the tariff book the utility shall file four copies with the Tariff Unit. For other advice letters two copies are required. Two of the filed advice letters must have attached adequate workpapers to justify the relief sought. Include an extra copy of the advice letter if you want one stamped and returned. For Class A filings a separate copy including workpapers must be provided to the Division of Ratepayer Advocates (DRA).

13. Contents of an Advice Letter (See the relevant Standard Practice for examples): The advice letter shall list the numbers and titles of the new tariff sheets and the numbers of tariff sheets proposed to be cancelled (if any). The advice letter should also give the reason for the filing and the date on which the tariff sheets are proposed to become effective. It should call attention to each increase or decrease or change in rate or condition, together with an estimate of the effect upon the company's annual revenues. Where the filing covers a new service the general effect of such filing should be explained. Advice letters must disclose whether the tariff change would create any deviations, withdraw service from any existing customer or impose more or less restrictive conditions. When seeking approval of a contract or other deviation from tariffed service, the contract must be attached. When seeking approval of a new service, the advice letter must:

- a. Describe the new service
- b. State its impact (if any) on rates and service to customers not received the new service
- c. State impacts on customers' privacy and competitive markets
- d. Explain how the utility will inform customers of the new service and
- e. Explain any transactions with utility affiliates the new service will involve

14. Notice: Each advice letter must contain a description of the notice provided customers and the justification for that type of notice, as well as information in the advice letter itself about how to file a protest or response (see above). Copies of the advice letter (without workpapers) must be served on a service list, which can be unique for the type of advice letter being filed, but which must always include nearby similar utilities (both regulated and unregulated), nearby cities, the county in which service is being rendered and any individuals or groups who have requested service for that particular type of advice letter. The utility shall provide copies of the advice letter at no cost with or without workpapers to customers and parties on the service list upon request. If a business, governmental entity or member of the public so requests, the utility shall provide a copy of the workpapers within two business days. Non-service list parties and non-customers may be charged a

reasonable amount for copying and mailing<sup>5</sup>. For Class A utilities each service list must be posted to the utility's web site so that persons may request and receive only those advice letters he or she is interested in. ORA shall be mailed a paper copy of the advice letter and workpapers. Anyone may request service by internet by providing an e-mail address along with the postal address. Electronic mail service is encouraged.

15. The advice letter shall contain the following language<sup>6</sup>:

**RESPONSE OR PROTEST**

Anyone may respond to or protest this advice letter. A response supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter. A protest objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds are:

(1) The utility did not properly serve or give notice of the advice letter;

(2) The relief requested in the advice letter would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;

(3) The analysis, calculations, or data in the advice letter contain material error or omissions;

(4) The relief requested in the advice letter is pending before the Commission in a formal proceeding; or

(5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or

(6) The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require relitigating a prior order of the Commission.)

A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

A response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed.<sup>7</sup> The address for mailing or delivering a protest is:

Tariff Unit, Water Division, 3<sup>rd</sup> floor  
California Public Utilities Commission,  
505 Van Ness Avenue, San Francisco, CA 94102

---

<sup>5</sup> Typically 10-25 cents per page. Charging the actual cost of copying done by a professional copy house and actual postage costs are encouraged.

<sup>6</sup> D.05-01-032, January 13, 2005, Appendix, Rules 4.1 and 4.2.

<sup>7</sup> Late-filed protests are acceptable for good cause shown. For example, a city that wishes to protest an Advice Letter may first need to discuss the action at a city council meeting. Late-filed protests of this type should be accepted.

water\_division@cpuc.ca.gov

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy of the protest by mail to us, addressed to:

(Name and address and electronic mail address of the utility contact.)

16. Replies: The utility shall reply to each protest and may reply to any response. Each reply must be received by the Water Division within five business days after the end of the protest period, and shall be served on the same day to the person who filed the protest or response<sup>8</sup>.

17. If the advice letter requests change to a prior resolution, it must specify the resolution to which the change is requested and state that the advice letter is subject to Section 1708 of the Public Utilities Code and that anyone protesting requesting an evidentiary hearing, must explain the need for the hearing by identifying material disputed facts and why a hearing must be held<sup>9</sup>.

18. The new tariff sheets shall highlight proposed changes by annotating the proper symbol to the right margin of the sheet behind the affected line. The annotations are:

Margin Symbols

- (C) To signify changed listing rule, or condition which may affect rates or charges
- (D) To signify discontinued material, including listing rate, rule or condition
- (I) To signify increase
- (L) To signify material relocated from or to another part of tariff schedules with no change in text, rate, rule or condition
- (N) To signify new material including listing, rate, rule or condition
- (R) To signify reduction
- (T) To signify change in wording of text but not change in rate, rule or condition.

---

<sup>8</sup> D.05-01-032, January 13, 2005, Appendix Rule 4.3

<sup>9</sup> D.05-01-032, January 13, 2005, Appendix Rule 2.2 (9)



## G - FILED AND EFFECTIVE DATES

19. Advice letters are deemed filed on the date received at the San Francisco office of the Water Division and become effective not less than calendar 30 days<sup>10</sup> thereafter unless authorized by the Commission. A good rule to remember is that when filed in a 31-day month, the filing will become effective one day earlier in the following month. When filed in a 30-day month, the filing will become effective on the same numbered day of the following month. If the advice letter requests approval of a rate increase or decrease in service quality that has not already been approved by the Commission or delegated to staff for approval<sup>11</sup>, it is not subject to Section 455 of the Public Utilities Code and cannot go into effect on a default basis in the absence of a Commission order. If there is already a Commission order authorizing the rate increase or service quality decrease, and the ordering paragraph authorizes it, the advice letter can be effective on five day notice, otherwise it becomes effective on 30 day notice (compliance filing). If a resolution approves the advice letter as filed, the advice letter becomes effective on the date of the resolution.

## H - MODIFICATIONS TO ADVICE LETTERS

20. Modifications to filed advice letters that are not yet effective are normally accomplished by the utility filing an advice letter supplement. This is a new but complete version of the advice letter with the same number and an -A, -B, -C etc. designation after it, replacing the original advice letter or preceding supplement. The supplement is served on all recipients of the original advice letter, but it doesn't, by itself, delay the effective date, unless so requested in the supplement.

21. If the modifications are non-substantive, such as to correct a typographic error on a tariff sheet or in the advice letter, the utility may "slip-sheet" the filing if authorized by staff by providing a corrected tariff sheet to the Tariff Unit prior to the effective date. This slip sheet need not be served on the service list. Slips sheet may not be used to correct typographical errors after the advice letter becomes effective. Such corrections will be made by the next advice letter that changes the tariff sheet or by Order Correcting Error (See Appendix J).

## I - TARIFF SHEETS WHICH DO NOT RESULT IN INCREASED RATES OR CHARGES

22. A tariff sheet offering a service or commodity not previously furnished or supplied or a change in a tariff sheet not increasing or decreasing any present rate, rental or charge, and not resulting in a decrease in service quality, does not require Commission approval. (This is commonly applied to maps for contiguous territorial expansion into areas not served by a utility of like character.)

## J - FILING OF INCREASED RATES

---

<sup>10</sup> D.05-01-032, January 13, 2005, Appendix Rule 4.6.

<sup>11</sup> D.05-01-032, January 13, 2005, Appendix section 3.4 and Appendix Rule 4.7 describes the process of delegating approval to staff.

23. A tariff filing to increase rates or charges should be made pursuant to an order of the Commission in a formal proceeding. When the proposed rate increases are minor in nature, or the utility has been so authorized, the Commission may accept a showing by advice letter, provided justification is fully set forth therein, without the necessity of formal application. Class B, C and D utilities are permitted to file general rate increases and rate base offsets by advice letter. Ministerial rate increases may be approved by staff. Discretionary requests can only be approved by resolution.

## K - WITHDRAWAL, SUSPENSION, AND REJECTION OF ADVICE LETTERS

24. If the utility desires to withdraw a filed advice letter, it must inform the Water Division by letter or e-mail prior to the effective date. Withdrawn sheets are stamped "WITHDRAWN" and a copy is returned to the utility for its files. Withdrawn advice letter numbers and sheet numbers are not to be reused.

25. When tariffs have been suspended they shall not become effective until the period of suspension has terminated or until the staff has approved the advice letter (if ministerial) or the Commission has issued an order in the matter (if discretionary). Tariffs that do not conform to the requirements specified in General Order No. 96 or this Standard Practice should be supplemented as required.

26. Tariff filings will be rejected by resolution where they (1) do not conform to statutory requirements or (2) are not properly processed by advice letter (contain material issues of fact or irresolvable protests) or (3) contain errors that the utility refuses to correct by supplement. If the analyst determines that an advice letter should be rejected, she or he prepares a resolution rejecting the advice letter (for reasons 1 and 2 above) and sends a copy to the service list of the advice letter for 30-day comment or (for reason 3 above) prepares a rejection letter. Rejected sheets are stamped "REJECTED" and a copy is returned to the utility for its files. Rejected advice letter numbers and sheet numbers may not be reused.

27. The legal effect of withdrawal, rejection or suspension is to leave the existing tariff schedules in effect.

28. The Tariff Unit retains the original copy of the withdrawn or rejected tariff sheets in the file of cancelled tariffs and sends copies to CAB and Los Angeles. The advice letter number and tariff sheet numbers are not reused. Any revised tariff sheets, submitted by a subsequent advice letter should show the cancellation of the then-effective tariff sheet, not the sheet number of the rejected or withdrawn sheet, since the latter never became effective and therefore cannot be cancelled.

## L - TARIFF CANCELLATIONS BECAUSE OF WITHDRAWALS OF SERVICE

29. No utility may withdraw from service either wholly or in part or discontinue any specific service without authorization from this Commission. When a utility desires to cancel a schedule for a service which it is either able to render on another schedule, or it desires to discontinue offering, including discontinue offering in part of its service territory, it may request approval by

discretionary advice letter. If the Commission approves the resolution, the Tariff Unit stamps the affected tariff sheets "Sheet Cancelled (Not Superseded) by Advice No. \_\_\_\_\_, Authority \_\_\_\_\_." This procedure is used where no substantial withdrawals of service are involved; otherwise a formal application is required.

## M - CONTRACTS AND DEVIATIONS

30. Whenever a contract for utility service is required, it shall be in accord with a standard form of contract filed in the sample forms portion of the tariffs. Similarly new types of service or exceptions to tariffed service should normally be done by a Commission-approved modification to the rate schedules. When a contract differs from the standard form contract or provides service at other than filed tariff rates (either higher or lower) or at conditions departing from the tariffs, it must be authorized by the Commission before it can become effective. Contracts are required to contain a clause indicating the jurisdiction of the Commission<sup>12</sup>. Contracts for service with governmental agencies may be entered into by utilities without Commission authorization provided copies of the contract are filed with the Water Division by advice letter. The Commission may in an appropriate proceeding determine the reasonableness of all such service at other than filed rates. Utilities shall maintain an up-to-date list of contracts as part of their tariff schedules.

31. The Commission by an appropriate order or resolution may authorize a deviation from the provisions of General Order No. 96. The Commission may also by order or resolutions authorize the utilities to deviate from their filed rates pursuant to Section 532 of the Public Utilities Code. Within 30 days of establishment or cancellation of a deviation, it shall be updated in the List of Contracts and Deviations filed as part of the tariff schedules.

## N - PROPOSALS

32. A proposal is a request from the utility to review an advice letter before the utility submits it for filing. In form, a proposal is identical to a regular advice letter except:

- a. no advice letter number is assigned,
- b. only two copies are required,
- c. the term "advice letter" is replaced with "proposed advice letter" in the text of the advice letter and on the Cover Sheet,
- d. no notice is given, and
- e. the proposed advice letter is not served on the service list.

Class B, C and D utility informal general rate cases and loan approval requests are usually submitted as proposals.

---

<sup>12</sup> "This agreement shall at all times be subject to such changes or modifications by the Commission as the Commission may from time to time direct in the exercise of its jurisdiction."

33. The Tariff Unit of the Water Division logs all proposals in the proposal docket list (Document Number 88265 in DM5) and into the Proposal/Advice Letter (PAL) database in Oracle. Proposals are processed identically to advice letters (see below) except disposition is by a letter from the project manager suggesting changes for the regular advice letter. The project manager's letter doesn't obligate the Commission or staff as to whether the resulting advice letter itself will be approved or rejected.

## O - PROCESSING ADVICE LETTERS

34. The utility submits one copy of the advice letter (without workpapers) to the service list and four copies of the advice letter (two copies if no tariffs are being changed) and two copies of workpapers, if any, to the Water Division in San Francisco, who forwards them to the Tariff Unit. All copies shall be attached to a filled out Advice Letter Filing Summary Sheet (Appendix M).

35. Utilities may also submit electronically by sending the submittal to [water\\_division@cpuc.ca.gov](mailto:water_division@cpuc.ca.gov) or by facsimile to (415) 703-4426. Class A utilities shall follow up the electronic filing with the hard-copy filings described above.<sup>13</sup>

36. The tariff clerk stamps the date and time of receipt of each submittal and reviews the package for:

- a. Conformance with GO 96, including format and cover sheet contents.
- b. Proper tariff sheet numbering. Even if the utility has chosen to allow staff to number the new tariff sheets, any sheet being replaced must be properly numbered in the advice letter.
- c. Adequate notice. The advice letter will not be accepted for filing until the notice has been published or the last bill insert notice has been mailed. In addition to notice to the service list, certain advice letters (rate increases and service area extensions, for example) require published notice. See the appropriate Standard Practice for details.

37. If the utility has chosen to allow staff to number the new tariff sheets, the tariff clerk checks to see if there are other active advice letters from the same company. If there are, the sheets will not be numbered until the order of approval of all advice letters are known. If there are no other active filings, the tariff clerk fills in the proper numbers by numbering the first non-table of contents tariff sheet with the next available number (one count higher than the existing first table of contents tariff sheet number), the next non-table of contents tariff sheet with the next number and so on. The table of contents tariff sheets are numbered last, with the first table of contents sheet receiving the highest number. The body of the table of contents sheets will have to be modified as well.

38. If the advice letter is not acceptable for filing, the tariff clerk informs the Branch Chief and requests changes/additions from the utility. After being accepted for filing, the tariff clerk does the following:

---

<sup>13</sup> Resolution No. M-4809, June 19, 2003 delegates to the Executive Director the authority to allow for electronic filing of advice letters.

- a. Enters a record of the filing in the advice letter docket book and in Doc.#87927 in DM5 (Advice Letter Docket List).
- b. Enters the necessary information in the PAL system on Oracle.
- c. Posts a notice in the daily calendar that the advice letter has been filed.
- d. Returns a copy to the utility stamped with the date filed.

39. The tariff clerk prepares the advice letter for review by doing the following:

- a. For non-Class A utilities, create a blue folder as described above, with an Advice Letter Review Routing Sheet (Appendix A), containing the work copy of the advice letter together with supporting documents and workpapers, if any. Create a yellow folder containing the original and three (or more) copies of the advice letter and one copy of the work papers, and label the folders with the name of the utility, the advice letter number and a brief description of the filing.
- b. Fill out the upper part of the Routing Sheet, putting down the review comments as directed on the form (including comments related to corrections needed to the tariffs) and the suspense date information, and attach the sheet to the cover of the blue folder.
- c. Route the blue folder to the Branch Chief, who assigns the filing to an analyst. The Blue folder goes back to the tariff clerk who notes the analyst's name in the proposal or advice letter docket list and PAL and sends the folder to the analyst.
- d. File the yellow folder in the "pending" file of active advice letters alphabetically by company.

40. Every advice letter must be reviewed by an analyst. Such review encompasses consideration of conformance of the request with the legislation, resolution or decision authorizing the advice letter and any similar resolutions or decisions; the correctness of filed rates or other quantities, compliance with the appropriate division standard practice, including weather normalized or recorded means test, workpapers and attachments; conformance with Commission policy and procedures; and consideration of protests or responses from ORA or the public. For advice letters for which the utility has requested ministerial review (review and approval by staff because the Commission has already made clear what the standards of review should be<sup>14</sup>), the analyst recommends disposition as follows:

- a. If the advice letter is to be approved, check the "No Resolution Required" box on the Cover Sheet, annotate the Route Sheet and include an analysis if appropriate.
- b. If the request is not justified in the showing in the advice letter or if the advice letter is protested and staff cannot resolve the protest, then the advice letter should be rejected without prejudice for refiling as an application. Check the "No Resolution Required" box on the Cover Sheet, annotate the Route Sheet, and include a rejection letter for the Branch Chief's signature that describes the reason for rejection and advises the utility to file a formal application.

---

<sup>14</sup> Examples of ministerial advice letters are: a) request for a rate decrease (ref. California Water Service Company Advice Letter No. 104, filed January 20, 1950, effective February 20, 1950, no resolution required), b) offering of a new service, c) compliance with an existing Commission order.

- c. If the advice letter is to be rejected without prejudice because there is an active formal proceeding addressing the issue, check the “No Resolution Required” box on the Cover Sheet, annotate the Route Sheet and prepare a cover letter to the utility describing the reason for rejection.
- d. If the advice letter is to be approved in part, approved with modifications, or if the advice letter otherwise requires a resolution, for example to address a protest, check the “Resolution Required” box on the Cover Sheet, annotate the Route Sheet and attach a draft resolution approving, approving in part or conditionally, or approving with modifications. Draft a cover letter for the project manager’s signature informing the utility that the advice letter has been reclassified as discretionary and that a copy of the draft resolution is attached, and inform the Tariff Unit. The Tariff Unit posts this information along with the new expected completion date to the Commission calendar.

41. Advice letters must include all information required by relevant statutes and Commission orders, including provisions requiring an adequate showing and justification of the proposed tariffs. If the filing is deficient, Staff should request information in detail, as soon as possible, so that the utility may provide the required information before the initial default effective date. The utility must provide the requested information within five days of staff’s request, or at least one day prior to the initial effective date, whichever is earlier.

42. The analyst is responsible for the disposition of all ministerial advice letters. This will usually occur after the 20-day protest period and before the 30-day deadline. If a ministerial advice letter was protested and is to be approved, the analyst prepares a letter explaining the disposition of the protest(s) for signature of the Chief of the Water Branch who sends the letter to the protestant(s) explaining that the disposition can be appealed, within ten days of disposition, to the Director of the Water Division.<sup>15</sup>

43. If an approved ministerial advice letter is appealed, by the protestant or any other party, the analyst will prepare a resolution for the Commission’s consideration explaining why the advice letter was approved.

44. If additional time is required to properly review a ministerial advice letter to cure informational deficiencies and thus enable the advice letter to meet the requirements, the analyst sends a form letter to the utility (Appendix H), prior to the 30 day deadline, explaining the need for delay and extending the time for processing up to 120 days, and sends a copy of the letter to the Tariff Unit, which notices the delay on the Commission’s Daily Calendar and to the Branch Manager, who sees that the Suspension Status Report on the Division’s web site is updated. The advice letter is suspended on the 30<sup>th</sup> day from filing. The analyst’s letter must include: 1) the date the due date is extended to, 2) the grounds for the extension, and 3) notice that the extension will automatically be increased such that the total processing time may be 330 days if the staff has not acted and the Commission has not issued an order regarding the advice letter by the new due date. The Suspension Status Report will include:

---

<sup>15</sup> D.05-01-032, January 13, 2005, Appendix paragraph 5.1

- a. Utility name and advice letter number,
- b. Date of suspension,
- c. Reasons for suspension,
- d. Projected date of disposition.

45. Informational deficiencies include: (1) vague language; (2) inconsistent or erroneous calculations; (3) failure to explain the impact of the advice letter on rates and services; (4) failure to explain how proposed tariffs implement or comply with statutory requirements or Commission orders; (5) failure to explain relationships between proposed tariffs and current tariffs (whether of the advice letter filer or, if applicable, of other utilities); and (6) failure in any other respect to include information required by statute or Commission orders.

46. Disposition of a discretionary advice letter requires a resolution. This should occur within 150 days of filing, but if disposition will take longer, the analyst must draft a letter for the project manager's signature, delaying disposition for up to an additional 180 days, and send a copy to the utility, and to the Tariff Unit, which will notice the delay on the Commission's Daily Calendar. Informal general rate case advice letters are processed in accordance with the Service Guarantee Plan (U-9-SM) and don't require suspension. Requests for loan approval are processed in accordance with Appendix G.

47. Advice Letter general rate cases can be turned into formal proceedings. The guidelines are to turn a proceeding formal if over half of the customers complain about the rate increase and/or service quality. Staff should consider turning the general rate case formal if a significant number and percentage of the customers complain, if the utility has outstanding compliance items, or if a mayor or city council requests a formal proceeding<sup>16</sup>. Remember, however, that formal proceedings can be quite expensive. If the filing can be disposed of informally, it should be.

## P - RESOLUTIONS

48. Resolutions are required for discretionary advice letters or for advice letters that were submitted as ministerial, but which require a Commission disposition based on interpretation of policy.

49. The analyst drafts the resolution using the resolution Style in Word (available from the Tariff Unit). The contents of the resolution depend on the situation and what the advice letter is requesting, but there are certain elements that all resolutions must contain:

- a. The resolution must stand on its own. It must contain all information, including citations if necessary, that applies to the request made in the advice letter and a complete analysis that substantiates the disposition that the resolution recommends.

---

<sup>16</sup> Memorandum from the J. E. Kerr, General Counsel, I. R. Alderson, Chief ALJ; W. R. Ahern, Director, Utilities Division; B.A. Davis, Director, Rev. Req Division and B. Barkovich, Director, Policy Division to the Commission, June 10, 1982, Subject: Conversion of Water Utility Advice Letter General Rate Increase Filings to Formal Applications and Rejection of Draft General Rate Increase Filings.

- b. It must be the analyst's original work. No analyst should ever ask a utility to prepare a resolution.
- c. It must be understandable to someone unfamiliar with utility regulation. It should avoid using regulatory jargon and provide definitions or descriptions where necessary.
- d. The resolution must be complete. It must discuss every item the utility asked for and the reasoning behind approving or disapproving each request. Informal general rate case resolutions should only address areas of disagreement between staff and the utility.
- e. The resolution must be correct. All calculations must be properly done and arithmetically correct. Numbers in the text must be the same as the numbers in the tables.
- f. The sections of most resolutions are:
  - 1. Title—a description of what the resolution does. It starts with the Resolution number in parentheses, the full name of the utility, and the abbreviation of the name, in parentheses, that will be used in the resolution.
  - 2. Summary—a one or two paragraph description of what the resolution recommends. Finish with a description of the number of service connections and the location of the service area being affected.
  - 3. Background—the events that occurred in the past that led to the filing of the advice letter and a description of what the advice letter is requesting. Often this section contains the precedent actions of the Commission
  - 4. Discussion—a logical and complete evaluation of the merits of each part of the request and whether and why each part should be approved, modified or rejected. If a request is to be approved, describe what the utility needs to do and what the consequences are.
  - 5. Notice—a description of how the advice letter was noticed and whether any protests or responses were received. After April 11, 2001 all notices must include information on how to file a protest or response<sup>17</sup> If protested, state that the staff has answered each protest<sup>18</sup>.
  - 6. Recommendations—summarize the results of the discussion. If the Resolution is for a GENERAL RATE CASE, give the customer bill comparison and present and adopted revenues<sup>19</sup>.
  - 7. Findings and Conclusions—facts that pertain to the situation and results of the discussion for each issue.
  - 8. Ordering Paragraphs—approve, disapprove or modify the requests in the advice letter and list the actions that the utility is allowed to or is ordered to take, along with timeframes and deadlines. Authorize a compliance advice letter effective on not less than 5 days notice if the subject advice letter cannot be approved as filed. The final ordering paragraph gives the effective date of the resolution. Normally a resolution is effective 30 days from being voted on. If it is to be made effective earlier, justify the earlier date in the Discussion and Conclusions.

---

<sup>17</sup> Letter from Fred L. Curry to All Commission Regulated Water and Sewer System Utilities, April 11, 2001

<sup>18</sup> Memorandum from Wes Franklin to All Hydraulic Supervisors and Seniors, August 3, 1983, Subject: Customer Protests in Advice Letter Proceedings

<sup>19</sup> Memorandum from Mary C. Carlos, Chief Administrative Law Judge to All Administrative Law Judges, November 24, 1982, Subject: Water Rate Case Decisions



9. Appendices—all General Rate Case<sup>20</sup> and Offset Resolutions must contain Appendices containing the adopted quantities.

50. A good resolution depends upon a reasonable argument organized coherently and presented persuasively. It is neither a list of unconnected 'points,' nor a 'lawyer's brief' that argues for only one side of an issue without acknowledging its limitations or liabilities. Qualify your thesis or recommendations whenever necessary, but strive at all times to keep the reader's focus clearly on your point of view. Stick to essential information or arguments that grow out of your introduction and lead inevitably to your conclusions. The memo writing workshop will provide you with valuable ideas on organizing professional memos.

- a. Be certain you have solved the problem before you begin to write. Then organize your presentation to help the reader see how that solution is reasonable and persuasive. Try to picture how the completed document will look before you start to write.
- b. Get right down to business in your introduction; you will rarely have the luxury of enough space to present elaborate background information, witty or 'elegant' meanderings toward your topic.
- c. After reading the opening paragraph, your audience should have no doubt concerning what your purpose is. At the least, the reader will know what problem you are addressing, how you intend to approach it, and what the main considerations are. Most readers will also appreciate a sense of your conclusions in the summary.
- d. Organize all information to buttress your argument logically. It is seldom convincing to present material in the same order in which you thought through a problem; attempt instead to determine what effect your organization will have on the reader. Structure should be logical rather than chronological.
- e. Stick with the information or analysis useful to your audience. Compress, subordinate, or eliminate anything that does not bear directly on your subject. If you need to demonstrate calculations, or present additional data, include them in an appendix to the main body of your resolution. Don't distract your reader with unessential material or long digressions.
- f. Be sure that graphs, tables, or equations are relevant, clearly explained, and coherently tied to your prose arguments. Don't present such materials for their own sake, but only when (and in such a way that) they advance your thesis. Never include a graph, table, or equation you have not addressed in the text.
- g. End conclusively. The reader should sense that you have fulfilled the expectations you created throughout the discussion, and that you have proven what you set out to demonstrate. The reader must also feel that she understands your final position and the path that leads to it.

---

<sup>20</sup> Letter from Wesley Franklin, Chief of the Hydraulic Branch to Supervisors and Seniors, dated August 31, 1983

51. The analyst forwards the draft resolution to the Senior Engineer or other designated project manager. The project manager reviews the resolution for correctness and checks that all calculations are properly done, and then forwards it to the Tariff Unit. The Tariff Unit reviews and finalizes the resolution for grammar, format and style, and sends it, with the blue and green cover sheets (Appendices B and C), to the Branch Chief, and the Division Director for review. After review is complete and any changes are made, the Tariff Unit makes the requisite number of copies of the proposed resolution and sends them to the Process Office.

52. Any subsequent changes to the proposed resolution (“starred” versions) are finalized by the Tariff Unit and undergo review using the blue cover sheet. The Tariff Unit makes the requisite number of copies of starred revisions for the Process Office. If the changes are major, the analyst prepares a cover letter (Appendix D) for the Division Director’s signature.

53. If the resolution is contested, it must be “sunshined.” Not later than 30 days before the Commission meeting send the letter to all concerned parties using the cover letter in Appendix I. Also, not later than 21 days prior to the Commission meeting, the Tariff Unit sends an electronic copy of all draft resolutions that will be mailed with the agenda to the support staff of the Chief of the Water Branch. The support staff saves a copy of each resolution to the WEBPUB database by importing the document using DM5 and the naming conventions in Appendix K. The Chief or other designated approver reviews the resolution by logging into the WEBPUB database and viewing the document to make sure it matches the printed resolution. If it matches, the approver changes the status on the document profile to “approved” and the resolution is automatically published to the Commission web site. If disapproved, after corrections are made, the resolution is published to the site.

54. The Agenda Review meeting is normally held the Tuesday afternoon before the Commission meeting. It is chaired by the Chief ALJ and attended by advisors and the Division Director or designate. At that meeting resolutions may be held, withdrawn or moved to the regular agenda. If a resolution is not complete (including receipt of supplemental advice letters) it will be held at that meeting. Resolutions may be held and agenda blurbs changed by request to the Chief ALJ at other times. After approval, the final resolution should be mailed to the service list of the advice letter and, if the resolution modifies actions taken by another resolution or decision, the service list of that proceeding or resolution.

## Q - APPROVED ADVICE LETTERS

55. After the advice letter is approved, the Tariff Unit does the following:

- a. Prepares a transmittal letter (Appendix E or F) and sends it to the utility, along with a complete copy of the advice letter with all tariff sheets stamped with the filed date, effective date and resolution number, and the resolution (if any).
- b. Stamps all tariff sheets with the date filed and date effective, places the tariff sheets in the tariff book and enters the AL status in PAL. Unless they are original sheets, the

sheets that are superseded are removed and stamped "Sheet Cancelled – superseded by Revised Cal. P.U.C. Sheet No. \_\_\_\_\_." These cancelled sheets are retained in the Cancelled Tariffs file for as long as the utility is certificated.

- c. Puts the original copy of the advice letter in the company's advice letter file.
- d. Sends a copy of the advice letter and stamped tariff sheets to the Los Angeles office of the Commission.
- e. Sends a copy the advice letter and stamped tariff sheets to the Consumer Affairs Branch (CAB) in San Francisco.
- f. Puts a copy of the resolution (if any) in the resolution binders.
- g. Puts a copy of the resolution (if any) in the utility's resolutions file (see section U. f. below).
- h. Sends an electronic copy of the final version of the resolution (if any) to the Water Branch for publishing as described above.
- i. Retrieves the work file folder from the analyst (if necessary) and puts it in the work file filing cabinet alphabetically by company. Work files are kept until the next general rate case.

## R - RECORDS MAINTAINED BY THE TARIFF CLERK

56. The tariff clerk is responsible for the following: Tariff book files, Proposal Docket List, Advice Letter Docket List, Contract Files, Advice Letter Files, Resolution Files, Work Files, the Cancelled Tariffs File and Exemptions of General Order 96 File.

- a. The tariff book file contains the original copies of the title page, table of contents, preliminary statement, effective schedules of rates, list of contracts and deviations, tariff rules, and forms.
- b. The Proposal Docket list is a list of all proposals received from the utilities in reverse chronological order. It contains the following information:
  - (1) Name of Utility
  - (2) Assigned Proposal No.
  - (3) Date Filed
  - (4) Date Due
  - (5) Analyst
  - (6) Subject Date Received
  - (1) Utility Authority (Decision or Resolution number and effective date)
  - (7) Type of Filing
  - (8) Disposition
- c. The Advice Letter Docket List is a list of all advice letters received from the utilities in reverse chronological order and contains the following information.
  - (2) Name of Utility

- (3) Advice Letter Number
  - (4) Date Filed
  - (5) Date Due
  - (6) Analysis
  - (7) Subject
  - (8) Authority for filing (Decision or Resolution number and effective date)
  - (9) Type of Filing
  - (10) Requested effective date
  - (11) Disposition
- d. The Advice Letter File contains all of the advice letters in reverse numerical order, by company.
  - e. The Contract File is a file of the contracts relating to all services at other than tariffed rates provided after January 1, 1943 (the date General Order No. 96 became effective), when such information is filed by the utilities.
  - f. The Tariff Unit maintains two files of the conformed copy of resolutions. One copy is filed in a binder containing one calendar year of resolutions in order of resolution number, and the second copy is filed alphabetically by company in reverse resolution number order. Conformed copies of resolutions show the vote of the Commission, date of the vote, and certification of Executive Director.
  - g. The Cancelled Tariff file contains, by company, all cancelled or superseded tariffs in reverse numerical order.
  - h. The Work File contains the analyst work folder for each advice letter submitted by the utility since its last approved general rate case. These folders are filed by utility in reverse advice letter number order. When a new general rate case work folder is filed, all previous work files are discarded.
  - i. The exemption file contains a copy of all pertinent correspondence relating to a utility's request for authority to be relieved from certain requirements of the General Order No. 96 industry rules or the Division's standard practices, filed by utility name, and the Division Director's commitment in response to the request.

## S - ORDER CORRECTING ERROR

57. In the event that an error, typo or omission is discovered after the resolution has been approved, such inadvertent/minor error(s) may be corrected by writing an "Order Correcting Error" to be signed by the Executive Director (See Appendix J). The Executive Director Order shall include the following:

- a. Statement of the error.

- b. “Resolution A-4661, dated March 19, 1977, authorizes the Executive Director to sign orders involving correction of inadvertent errors.”
- c. The correction being authorized.

## T - EXTENSION OF TIME

58.If a utility need an extension of time to file an advice letter or perform a Commission order, it can request it from the Executive Director in accordance with Commission Rule of Practice and Procedure No. 48 (b). Appendix N contains an example of a letter authorizing such delay.

**\*\*\*REVIEW AND ROUTE AS INDICATED\*\*\***

<b>FINAL RECOMMENDATION:</b> <input type="checkbox"/> Approve <input type="checkbox"/> Approve Conditionally <input type="checkbox"/> Reject	
<b>COMMENTS:</b> _____ _____ _____	
<b>SIGNATURE:</b> _____	<b>DATE:</b> _____

# PROPOSED RESOLUTION



THIS SHEET MUST ACCOMPANY THE ORIGINAL COPY OF THE PROPOSED RESOLUTION, BE PROPERLY FILED OUT, AND BE SIGNED BY THE DIVISION BEFORE IT WILL BE CONSIDERED FOR THE COMMISSION AGENDA

ADVICE LETTER: \_\_\_\_\_ ASSIGNED BRANCH: \_\_\_\_\_  
 FILED BY: \_\_\_\_\_  
 DATE FILED: \_\_\_\_\_ COMMISSION MEETING: \_\_\_\_\_

	NAME	INITIAL	DATE
BRANCH CHIEF			
DIRECTOR			
ASSIGNED COMMISSIONER			

PROTESTS? YES ☐ NO ☐  
 CONTROVERSIAL YES ☐ NO ☐  
 REQUIRES DISCUSSION YES ☐ NO ☐  
 READY FOR DISTRIBUTION DATE \_\_\_\_\_  
 CONSENT CALENDAR YES ☐ NO ☐  
 SUBJECT TO PUBLIC COMMENT? YES ☐ NO ☐

**RESOLUTION SUMMARY**

Date signed: \_\_\_\_\_

**WATER ADVISORY BRANCH**  
**DRAFT RESOLUTION ROUTE SHEET**

Resolution No. \_\_\_\_\_ Meeting Date \_\_\_\_\_  
 Utility Name \_\_\_\_\_ Adv. Ltr. No. \_\_\_\_\_  
 Process Deadline \_\_\_\_\_

-----  
 (Pls. attach the AL workfolder with the draft resolution.)

**A. PROJECT TEAM REVIEW & APPROVAL**

		Comments and Changes (Indicate the pages)
1. Originator/ Author	Date _____	_____
Name _____		_____
Phone _____		
Note: 1 - Branch to prepare compliance filing?		_____(Y) ____ (N)
2 - Send OA copy to JRB and JLJ.		
2. Project Engineer	Date _____	_____
		_____
3. Program Supervisor	Date _____	_____
		_____

**B. ADMINISTRATIVE REVIEW & APPROVAL**

1. Tariff Unit	Date _____	_____
a. Process for management approval		_____
b. Assign Resolution Number		
2. Fred L. Curry	Date _____	_____
		_____
3. Kayode Kajopayie	Date _____	_____
		_____
4. Kevin Coghlin	Date _____	_____
		_____

**C. FINAL DRAFTING AND PROCESSING FOR COMMISSION AGENDA**  
**(Pls. write additional instructions, if any.)**



jlj

**W-2**  
**9/7/2000**

**State of California**  
**Public Utilities Commission**  
**San Francisco**

## **MEMORANDUM**

Date: September 5, 2000

To: The Commission  
(Agenda Distribution List)

From: Director Smith

File No: W-XXXX, Any Water Company Loan Approval

Subject: Agenda item W-2 for September 7, 2000 Meeting

As a result of the City of Any meeting on August 31, 2000, I have revised the resolution to deny the utility's request for loan approval at this time. This resolution does approve a \$100,000 planning loan that will have no immediate rate impact, and orders the utility to pursue approval of the filtration project easement appeal.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



September 5, 20XX

File No. 602-9

I. M. Regulated, Owner  
Regulated Small Water System  
100 Harms Way  
GAMMA, CA 96075

Dear Mr. Regulated:

The Commission has received and filed the utility's Advice Letter No. 15-W, together with the following revised Cal. P.U.C. Tariff Sheets, that were submitted for processing:

Cal. P.U.C.  
Sheet No.

Title of Sheet

140-W	Schedule No. 1A, Annual Metered Service
141-W	Schedule No. 2RA, Annual Residential Flat Rate Service
142-W	Table of Contents

We are returning a copy of the approved advice letter and tariff sheets, with the filing and effective dates shown, for the utility's files.

Very truly yours,

R. D. WORKER  
Program Technician III  
Water Branch

Enclosures

cc: Sam Pler, Consultant

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



August 7, 20XX

File No. 602-19

Dan Sharpe  
Director, Rates and Revenues  
Regulated Water Company  
123 Main St  
P O Box 100  
DELTA, CA 99000-0100

Dear Mr. Sharpe:

The Commission passed Resolution No. W-4XXX on August 3, 2000, which authorized the tariff revisions proposed in the utility's Advice Letter No. 100. We have thus processed the advice letter and the following revised Cal. P.U.C. Tariff Sheets, applicable to its Los Angeles County Division, that were submitted:

<u>Cal. P.U.C. Sheet No.</u>	<u>Title of Sheet</u>
1525-W, 1526-W	Schedule No. 1, General Metered Service
1527-W, 1528-W	Schedule No. 3L, Limited Irrigation Service
1529-W, 1530-W	Schedule No. 6, Reclaimed Water Metered Service
1531-W, 1532-W	Table of Contents

Enclosed is a copy of the approved resolution, advice letter, and tariff sheets with the filing and effective dates shown, for the utility's files.

Very truly yours,

R. D. WORKER  
Program Technician III  
Water Branch

Enclosures

**PROCESSING FINANCING APPLICATION/ADVICE LETTER**

## TIME SCHEDULE

<b><u>ACTIVITY</u></b>	<b><u>DAY</u></b>	
	Application	Advice Letter
Filing received by Docket Office	0	
Filing received by Water Division		0
Filing appears on Commission's Daily Calendar	5	7
SB960 Commission categorizes filing as ratesetting, adjudicatory, or quasi-legislative	19	
Filing categorized as ratesetting	20	10
Assigned to Examiner/Staff Analyst		
Processing	30	20
- Review filing for completeness		
- Send utility Supplemental Data Request		
- Correspond with utility/other parties		
- Write draft decision/resolution		
Filings coupled with surcharge	75	65
- Utility provides notice to customers		
- Public meeting conducted		
- Protests and response to protests		
- Continue writing draft decision/resolution		
Draft Decision/Resolution completed and signed out by ALJ Office/Commissioner's Office	85	75
- Changes/Revisions		
- Advice Letters may be converted to formal if controversial		
- Agenda No. assigned/draft distributed		
Commission Meeting	101	91
Utility pays financing fee; decision/resolution issued and mailed out	105	95

## ADVICE LETTER (AL) SUSPENSION NOTICE \*

### WATER DIVISION

Utility Name \_\_\_\_\_ Date Utility Notified \_\_\_\_/\_\_\_\_/\_\_\_\_ via:  
 Utility No./Type \_\_\_\_\_ [ ] Fax No. ( ) \_\_\_\_\_  
 Advice Letter No. \_\_\_\_\_ [ ] E-Mail \_\_\_\_\_  
 Date AL filed \_\_\_\_\_ [ ] Mail \_\_\_\_\_  
 Utility Contact Person \_\_\_\_\_ Date Calendar Clerk Notified \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Utility Telephone No. ( ) \_\_\_\_\_ Date Commissioners/Advisors Notified \_\_\_\_/\_\_\_\_/\_\_\_\_  
 WD Staff Analyst \_\_\_\_\_

**[ ] FIRST SUSPENSION (up to 120 DAYS)**

This is to notify you that the above-indicated AL is suspended from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_ for the following reason(s). If the Commission does not act on this AL within this time, the second suspension will commence automatically.

- [ ] AL Protested
- [ ] Resolution is required
- [ ] AL not in compliance with Commission Statute/Decision/Resolution
- [ ] Additional information is required
- [ ] Additional time is required
- [ ] Other \_\_\_\_\_
- 

**[ ] SECOND SUSPENSION (180 DAYS)**

The Commission has not taken action on this AL; therefore, an additional 180-day suspension period will automatically commence on \_\_\_\_/\_\_\_\_/\_\_\_\_.

If you have any questions regarding this matter, please contact \_\_\_\_\_ at \_\_\_\_\_ or via e-mail at \_\_\_\_\_.

\_\_\_\_\_  
 Hilda Pay, Project Manager  
 Water Division

\* Reference – Resolution M-4801, dated April 19, 2001

Appendix I

TO: Parties to Any Water Company's Advice Letter XXX-W.

Enclosed is a draft Resolution of the Water Division. This draft Resolution will be on the agenda of the Commission's September 20, 2001 meeting. The Commission may then vote on the Resolution or it may postpone a vote until later.

When the Commission votes on a draft Resolution, it may adopt all or part of it as written, amend, modify or set it aside and prepare a different Resolution. Only when the Commission acts does the Resolution become binding on the parties.

Parties may submit comments on the draft Resolution. An original and two copies of the comments, with a certificate of service, should be submitted to:

R. D. Worker  
Water Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Fax: 415-703-4426

Any comments on the draft Resolution must be received by the Water Division by September 7, 20XX. Those submitting comments must serve a copy of their comments on 1) the service list attached to the draft Resolution, 2) all Commissioners, and 3) the Director of the Water Division, on the same date that the comments are submitted to the Water Division.

Comments shall be limited to five pages in length plus a subject index listing the recommended changes to the draft Resolution, a table of authorities and an appendix setting forth the proposed findings and ordering paragraphs. Replies to Comments are due on September 13, 20XX.

Comments shall focus on factual, legal or technical errors in the draft Resolution. Comments that merely reargue positions taken in the advice letter or protests will be accorded no weight and are not to be submitted.

Late submitted comments will not be considered.

Amanda Rekonwith, Chief  
Water Advisory Branch  
Water Division

Enclosure: Service List  
Certificate of Service

### **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of Draft Resolution W-XXXX on all interested persons and organizations in these filings or their attorneys as shown on the attached list.

Dated May 6, 2004 at San Francisco, California.

---

Lil Oliva

### **NOTICE**

Interested Persons and Organizations should notify the Water Division, Public Utilities Commission, 505 Van Ness Avenue, Room 4002 San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the Resolution number on the service list on which your name appears.



## Service List for Resolution W-XXXX

Mr. Bruce N. Williams, Treasurer  
PACIFICORP  
825 NE MULTNOMAH, SUITE 1900  
Commission  
PORTLAND, OR 97232  
300  
Telephone: (503) 813-5662  
Fax: (503) 813-5673  
Bruce.Williams@pacificorp.com

dparri@misc.state.wy.us  
James F. Fell  
STOEL RIVES, LLP  
900 SW 5<sup>TH</sup> AVENUE, SUITE 2600  
Commission  
PORTLAND, OR 97204-1268  
(503) 294-9343  
JFFELL@STOEL.COM

Mr. Scott Cauchois, Senior Manager  
Office of Ratepayer Advocates  
Director  
505 Van Ness Ave  
San Francisco, CA 94102

Mr. Frank J. DeMarco  
Deputy County Counsel  
P.O. Box 659  
205 LANE STREET  
YREKA CA, 96097  
Commission  
(530) 842-8100  
FOR: COUNTY OF SISKIYOU  
fdemarco@co.siskiyou.ca.us  
  
mbruce@puc.state.id.us

Ms. Denise Parrish  
Supervisor, Rates & Pricing  
Wyoming Public Service  
  
2515 Warren Avenue, Suite  
  
Cheyenne, Wyoming 82002  
Telephone: (307) 777-5743  
Fax: (307) 777-5700  
E-mail:

Mr. Ed Bush  
Oregon Public Utility  
  
550 Capital St. N.E.  
Salem, Oregon 97310  
Telephone: (503) 378-6625  
E-mail: ed.bush@state.or.us

Mr. Lowell Alt  
Technical Executive Staff  
  
Utah Commission Staff  
160 East 300 South  
Heber M, Wells Building  
Salt Lake, Utah 84114-6782  
Telephone: (801) 530-6771  
E-mail lalt@state.ut.us

Mr. Michael Bruce  
Idaho Public Utilities

P. O Box 83720  
Boise, Idaho 83720-0014  
Telephone: (208) 334-0366  
E-mail

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**WATER DIVISION  
Water Advisory Branch**

**RESOLUTION NO. W-XXXX  
March 10, 2000**

**RESOLUTION**

**(RES. W-XXXX), ANY WATER COMPANY. ORDER  
CORRECTING NONSUBSTANTIVE ERRORS IN  
RES. W-XXXX**

**SUMMARY**

The commission has been informed of nonsubstantive errors in Res. W-XXXX which was passed on December 16, 20XX. The resolution did not include reference to modification of other rule and form pertaining to customer deposits. To correct this, attached are Rule No. 5, Special Information Required on Forms, and Form No. 2, Customer Deposit Receipt

Pursuant to Resolution A-4661.

**IT IS ORDERED that:**

1. Page 2 of Resolution W-XXXX is hereby replaced. Pages 3 through 6 of Appendix B. are hereby added.
2. This order is effective today.

Signed and dated in San Francisco, California on March 10, 20XX

---

X. L. Lent  
Executive Director

## Appendix K

CPUC01 NAMING CONVENTIONS	WEBPUB NAMING CONVENTIONS
Agenda Resolutions (Res-A)  Res. W-4310 (Rate Increase for Bakman)	Agenda Resolutions (Res-A)  Agenda Resolution W-4310 (Rate Increase for Bakman)
Final Resolution (Res-F)  Resolution W-4310 (Rate increase for Bakman Water Company)	Final Resolution (Res-F)  Resolution W-4310 (Rate increase for Bakman Water Company)

Each proposed agenda item that our process office mails to the public is to be posted on the "Agenda Mailed Date" (10 days before the Commission Meeting)

Each time an agenda item is held over it needs a new CPUC01 number.

Finalize signed agenda items prior to the close of business the following day.

Approver: The Branch Chief or whomever is designated.

NOTE: Each time an agenda item is held over to a new commission meeting date, the held item is to have a new CPUC01 number.

**APPENDIX L - GUIDE TO NUMBERING RATE SCHEDULES**

1. The rate schedule number will indicate the class of service as shown in the following tabulation. (These numbers have been selected to correspond generally to the revenue classes in the present uniform system of accounts for water utilities.)

## Schedule

<u>No.</u>	<u>Class of Service</u>
1.	Metered service.
2.	Flat rate service.
3.	Irrigation service.
4.	Private fire protection service.
5.	Public fire hydrant service.
6.	Resale service.
7.	Service to governmental agencies.
8.	Interdepartmental service.
9.	Other water service (such as construction service).
10.	Service to company employees.

2. Where appropriate, the number indicating the class of service will be followed by one or more of the suffixes shown below to further define the type of service covered by the schedule in those situation when the service rendered may be somewhat different than might be expected for the particular type of service.

<u>Suffix.</u>	<u>Type of Service</u>
A	Annual service.
C	Construction service under Schedule 9.
E	Special Charges.
F	Flat rate service for other than service under Schedule 9.
I	Industrial service, under Schedule 9.
L	Limited service, as to area or customers.
M	Measured service for other than service under Schedule 1.
O	Optional service.
R	Residential service.
S	Seasonal service.
T	Treated water (other than service under Schedule 1 or 2) utilized for human consumption.
U	Untreated water for other than irrigation service.
W	Off season or winter irrigation service.
X	Temporary service.
Z	Surplus water sales.

3. When a tariff area has more than one rate zone (such as a lower and an upper elevation zone) each rate zone will be designated by a single identifying capital letter prefix followed by a hyphen placed ahead of the rate schedule number indicating the class of service. For

example, the zone prefixes for the Valley Rate Zone and the Hill Rate Zone could be V- and H-, respectively, followed by the class of service number and, where appropriate, the type of service suffix. If the utility has more than one system, the zone prefix will follow the system prefix.

4. For a water utility which has different rates established for its separately operated systems (such as districts or divisions of a multi-system utility) the rate schedule numbers applicable to each system will be further codified by use of a system prefix comprising the first two letters of the system's name (tariff area), both capitalized. This prefix will be separated from the remainder of the schedule number designation by a hyphen. If the names of two systems have the same first two letters, the second letters should be changed to other distinguishing letters that will maintain the alphabetical sequence of the full names. For example, the designations for Normandy and Norwalk could be NM and NW.

5. Where a rate schedule is universally applicable throughout all of the systems of a multi-system or district utility, the schedule number should have the prefix AA (applicable all areas), and the schedule heading should show that it is of general application, as follows:

All Tariff Areas

CONSTRUCTION AND OTHER TEMPORARY FLAT RATE SERVICE

6. In rate schedules for individual systems of a multi-system utility, the schedule number will be followed on separate lines by the tariff area name (and rate zone, where required) and by the class of service title, as indicated below:

Schedule No. BAC – 3ML

Bakersfield Tariff Area  
Crest Zone

LIMITED MEASURED IRRIGATION SERVICE

7. Some examples of rate schedule numbers are:

Schedule No. 1	(metered service, single-system utility)
Schedule No. 2S	(seasonal, flat rate service, single-system utility)
Schedule No. U-3F	(flat rate irrigation service, upper zone, single-system utility)
Schedule No. BA-3M	(Bakersfield tariff area, measured irrigation service)
Schedule No. VA-9MI	(Vacaville District, metered industrial service)
Schedule No. SUH-1X	(Suburban tariff area, Hill Zone, temporary metered service)

8. The following material lists typical wording for the “applicability” portion of the rate schedule.

<u>No</u>	<u>APPLICABILITY</u>
1	Applicable to all metered water service or sewer that uses metered water as the basis.
1A	Applicable to all metered water or sewer service furnished on an annual basis
1S	Applicable to all metered water or sewer service furnished on a seasonal basis.
2	Applicable to all flat rate water or sewer service.
2A	Applicable to all flat rate water or sewer service furnished on an annual basis.
2LX	Applicable to all flat rate water service furnished on a limited temporary basis.
2R	Applicable to all flat rate residential water or sewer service.
2RA	Applicable to all flat rate residential water or sewer service furnished on an annual basis.
2RS	Applicable to all flat rate residential water service or sewer furnished on a seasonal basis.
2X	Applicable to all flat rate residential water service furnished on a temporary basis.
3FL	Applicable to all flat rate irrigation service furnished on a limited basis.
3M	Applicable to all measured irrigation service.
3ML	Applicable to all measured irrigation service furnished to the lands owned by John A. Doe as of January 1, 1942.
4	Applicable to all water service furnished to privately owned fire protection systems.
5	Applicable to all fire hydrant service furnished to municipalities, organized fire districts and other political subdivisions of the State.
6	Applicable to all water service furnished for resale purposes.
7F	Applicable to all flat rate water service furnished to public parks.
9E	Applicable to all service furnished under schedules for metered and flat rate water service. (For service establishment or other special charges.)
9FC	Applicable to all flat rate water service furnished for general construction.
9M	Applicable to all tank truck water sales.
9MC	Applicable to all measured water service furnished for street paving, grading and trench flooding and for delivery to tank trucks.
10R	Applicable to all residential water service furnished to regular and pensioned employees of the company.
Note:	Other specialized schedules shall follow the same order of designation outlined above, i.e., first, flat rate or metered; second, purpose or use of water; third, limitations.

9. Some examples of territorial descriptions are given below. The phrase “and vicinity” will usually be included in the territory description.

TERRITORY

Los Altos and vicinity, Santa Clara County.

Keeler and vicinity, Inyo County.

Graeagle and vicinity, located approximately 12 miles southwest of Portola, Plumas County.

Tracts Nos. 1187 and 1188, and vicinity, located three miles north of Simi, Ventura County.

Tahoe Valley Center, Gardner Mountain Subdivision, Tamarack Subdivision and Tucker Subdivision, and vicinity, located in Tahoe Valley, El Dorado County.

Portions of Bellflower, Lakewood and Paramount, and vicinity, Los Angeles County.

Tracts Nos. 9389, 9775, 9856 and 1138, located in portions of Downey and Pico Rivera, and vicinity, Los Angeles County.



# CALIFORNIA PUBLIC UTILITIES COMMISSION

## Advice Letter Filing Summary Sheet

(Date Filed / Received Stamp by CPUC)

<b>Company Name:</b> _____			<b>CPUC Utility Number U -</b> _____	
<b>Address:</b> _____				
<b>City, State, Zip:</b> _____				
<b>AL #:</b> _____ <b>Requested Effective Date:</b> _____			<input type="checkbox"/> <b>Resolution Required?</b>	
<b>Contact Name:</b>		<b>Email Address:</b>	<b>Phone No.:</b>	<b>Fax No.:</b>
<b>Filer</b>				
<b>Alternate</b>				No. Tariff Sheets: _____
<p style="text-align: center;">(Name, email address &amp; Phone and FAX numbers <i>are required for "Filer"</i>)</p> <p style="text-align: center;">Annual Revenue Change: \$ _____ % _____</p> <p>Tariff Schedule Nos: _____</p> <p>Subject of filing: _____ (Service(s) included)</p> <p>Authorization for filing: _____ (Resolution #, Decision #, etc.)</p> <p>Related Advice Letter(s): _____ (Similar service, replacement filing)</p> <p>Notes/Comments: _____ (Other information &amp; reference to advice letter, etc.)</p>				
<div style="display: flex; justify-content: space-between;"> <div style="width: 35%;"> <p><b><u>Send Protest and/or Correspondence within 20 days to:</u></b></p> <p><b><u>and if you have email capability, also email to:</u></b></p> <p><b><u>Protest also <i>must be served</i> on utility:</u></b></p> </div> <div style="width: 60%;"> <p>Director, Water Division 505 Van Ness Ave., San Francisco, CA 94102</p> <p>_____</p> <p>water_division@cpuc.ca.gov</p> <p>_____</p> <p>(see attached advice letter for more information)</p> </div> </div>				
(FOR CPUC USE ONLY)				
<input type="checkbox"/> WTS Program/Activity/Type _____/_____/_____  <input type="checkbox"/> Resolution Required  <input type="checkbox"/> WD Suspension on: ____ / ____ / ____  <input type="checkbox"/> Comm. Suspension on: ____ / ____ / ____  Resolution No.: W - _____		Supv. / Analyst _____ / _____ Due Date to Supv.: _____ Analyst Completion Date: _____ Supervisor Approval Date: _____ AL / Tariff Effective Date: _____ Notes: _____		

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



June 23, 2005

Mr. Roger Any  
Chairman & Chief Executive Officer  
Any Water Company  
P.O.Box 12345  
ANYWHERE CA 95123

Dear Mr. Any:

On June 21, 2005, you requested via electronic mail an extension of time for Any Water Company to submit its General Rate Case application required by Decision 04-01-001. You stated that Any Water currently has pending before the Commission Advice Letter 17 requesting Commission authorization to use the Advice Letter process for this General Rate Case, rather than the application process. You requested an extension of time to comply with the application filing requirement in D.04-01-001 until 20 days after the Commission rules on your Advice Letter filing request. You also informed me that the Office of Ratepayer Advocates objects to any extension beyond the current application due date of July 1, 2005.

For good cause shown, your request is granted. Any Water Company's General Rate Case application shall be filed no later than 20 days after the Commission acts on Advice Letter 17, but no later than September 16, 2005.

In accordance with Rule 48(b), you are instructed to provide copies of this letter to the Service List in R.03-09-005.

Very truly yours,

Steve Larsson  
Executive Director

Cc: ALJ Karen Aboutcha  
Thomas Doubting, Director, Water Division